

REMARKS

The Office Action dated September 9, 2004, included the following rejections, objections, and comments:

1. Claims 1-20 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-26 of copending Application No. 10/675,062.
2. Claims 1-20 were rejected under 35 USC § 102(e) as being anticipated by US 6,768,086 (Sullivan).

In response to these rejections, objections, and comments, and in view of the above Amendments, Applicant provides the following Remarks:

1. Provisional Double Patenting Rejection.

Claims 1-20 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-26 of copending Application No. 10/675,062. In view of the provisional status of the rejection, it is submitted that a terminal disclaimer may be premature at this time. However, upon resolution of all other matters, Applicant will submit a terminal disclaimer, if required.

2. Rejection of Claims 1-20 under 35 USC § 102(e)

Claims 1-20 were rejected under 35 USC § 102(e) as being anticipated by Sullivan. However, Applicant respectfully submits that the claimed invention has distinguishable features not present in the Sullivan reference.

With respect to Independent Claim 1, and dependent Claims 2-12, Applicant respectfully submits that Sullivan does not disclose a pair of flexible locking strands of material disposed longitudinally adjacent to the flexible electrically strand of material, the locking strands of material crossing over each other on either side of a crossing conductive strand of material. Applicant respectfully directs the Examiner's attention to FIG. 6 of the present application, where locking strands of material 152a and 152b cross over each other on either side of the conductive strand 220. Applicant respectfully submits that there is no teaching, suggestion or motive in Sullivan to lock an electrical strand of material as in the claimed invention.

Independent Claim 11 requires a pair of flexible electrically conductive strands of material to cross each other on either side of the crossing strand of electrically conductive material. Applicant respectfully directs the Examiner's attention to FIG. 8 of the present application, where conducting strands of material 111a and 111b cross over each other on either side of the crossing electrical conductor 220. In contrast, Applicant respectfully submits that Sullivan does not teach, suggest or provide a motive for such a structure.

Similar to Independent Claim 1, Independent Claim 12 and dependent Claims 13-20, require locking strands of material to run longitudinally with conducting strands of material and to cross each other on either side of a cross conducting strand of material.

Applicant respectfully directs the Examiner's attention to FIG. 6 again where locking strands of material 151a and 151b, and 152a and 152b run longitudinally with conducting strands 111, and cross over each other on either side of the crossing electrically conductive strand 220.

Applicant further respectfully submits that there is no teaching or suggestion in Sullivan to incorporate the conductive yarns within the fabric. As can be seen in FIGS. 3-5 of Sullivan, strands running generally in the same direction never cross over each other. In contrast, Applicant has specifically required the conductive strands of material to cross over each other to provide a secure locking of the material. Therefore, Applicant respectfully submits that the claimed invention is not anticipated by Sullivan.